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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
OMAR WARD, )  
 )  
Defendant. )

No. CR 06 0380 SI

**UNITED STATES' MOTION TO  
CONTINUE BRIEFING SCHEDULE  
AND TO UNSEAL PLEA  
AGREEMENT AND JUDGMENT  
AND ~~PROPOSED ORDER~~**

Defendant has filed a motion for reduction of sentence pursuant to 18 U.S.C. 3582(c)(2). On October 12, 2007, he received a sentence which included ninety months imprisonment for the violation of 21 U.S.C.841(a)(1).

1. The government seeks to unseal the plea agreement as well as judgment in this matter for the limited purpose in responding to defendant's motion.

2. The government seeks a continuance of the Court's briefing schedule to permit the government access to the relevant pleadings and to form its response. The government proposes September 2, 2011 as the due date for its response and September 26, 2011 as the due date for defendant's reply.

3. The defendant has presented a motion under 18 U.S.C. § 3582(c)(2) for a reduction in sentence, on the basis of a proposed amendment to the Sentencing Guidelines

1 with regard to crack cocaine offenses. This motion is premature, as the amendment does  
2 not become effective until November 1, 2011, and only then if not disapproved by  
3 Congress.

4 Respectfully submitted,


5 MELINDA HAAG  
6 United States Attorney

7  
8 Dated: August 9, 2011

9 /s  
10 BLAKE D. STAMM  
11 Assistant United States Attorney

12 **IT IS SO ORDERED.**

13  
14 Dated: 8/11/11

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16 SUSAN ILLSON  
17 United States District Judge  
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I, **KATHY TAT** declare:

I am employed by the United States Attorney for the Northern District of California and discretion to be competent to serve papers. The undersigned further certifies that I caused a copy of the following:

to be served this date upon the party(ies) in this action by placing a true copy thereof in a sealed envelope, and served as follows:

**PERSONAL SERVICE (BY MESSENGER/HAND DELIVERED)**

to the parties addressed as follows:

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

/s/  
KATHY TAT  
Legal Assistant